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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**UTILITY PATENT APPLICATION  
TRANSMITTAL LETTER  
UNDER 37 C.F.R. 1.53(b)**

ATTORNEY DOCKET NO.:  
11245/46117

Address to:  
Assistant Commissioner for Patents  
Washington D.C. 20231  
Box Patent Application

Transmitted herewith for filing is the patent application of

Inventor(s): **Ihor R. LEMISCHKA**

For : **METHOD FOR ISOLATING CELLS EXPRESSING FLK-2  
RECEPTORS AND ISOLATED POPULATIONS OF CELLS THAT  
EXPRESS FLK-2 RECEPTORS**

Enclosed are:

1. 101 sheets of specification, 9 sheets of claims, 1 sheet of abstract
2. 23 sheets of drawings.
3. Preliminary Amendment.
4. Declaration and Power of Attorney (copy from prior application (37 CFR 1.63(d))  
(See paragraph 5 below).
5. Incorporation by Reference. The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under paragraph 4 above is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. Power of Attorney by Assignee of Entire Interest (Revocation of Prior Powers and Appointment of New Power) (copy from prior application Serial No. 09/208,786).
7. Continuing application information:

This application is a continuation of application serial number  
09/208,786 filed December 10, 1998.

8. In Accordance with 37 CFR §1.821(e), a Sequence Listing in computer readable form for application Serial No. 07/977,451 was submitted to the Patent and Trademark Office on November 19, 1992. The present application is a continuation of Serial No. 09/208,786, which is a continuation of Serial No. 09/021,324, which is a continuation of Serial No. 08/601,891, which is a divisional of Serial No. 08/252,498, which is a divisional of Serial No. 08/055,269, which is a divisional of that original application, and the Sequence Listing contains information identical to the computer readable Sequence Listing submitted in connection with application Serial No. 07/977,451.

Further, in accordance with 37 CFR §1.821(f), the Applicant herein states that the contents of the earlier filed computer readable Sequence Listing and the paper copy of

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09/919408  
07/31/01

the Sequence Listing, submitted herewith as part of the specification, are identical.

9. Applicant is a small entity and is entitled to small entity status.
10. The filing fee has been calculated as show below after the entry of the Preliminary Amendment:

|  | NUMBER FILED | NUMBER EXTRA* | RATE (\$)          | FEE (\$) |
|--|--------------|---------------|--------------------|----------|
| BASIC FEE  |              |               |                    | 710.00   |
| TOTAL CLAIMS   | 2 - 20 =     |               | 18.00              | 0.00     |
| INDEPENDENT CLAIMS   | 2 - 3 =      | 0             | 78.00              | 0.00     |
| MULTIPLE DEPENDENT CLAIM PRESENT   |              |               | 260.00             | 0.00     |
| *Number extra must be zero or larger   |              |               | TOTAL              | 710.00   |
| If applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here. |              |               | SMALL ENTITY TOTAL | 355.00   |

11. Please charge the required application filing fee of **\$355.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
12. The Commissioner is hereby authorized to charge payment of the following fees, associated with this communication or arising during the pendency of this application, or to credit any overpayment to deposit account number **11-0600**:
- A. Any additional filing fees required under 37 C.F.R. § 1.16;
  - B. Any additional patent application processing fees under 37 C.F.R. § 1.17;
  - C. Any additional patent issue fees under 37 C.F.R. § 1.18;
  - D. Any additional document supply fees under 37 C.F.R. § 1.19;
  - E. Any additional post-patent processing fees under 37 C.F.R. § 1.20; or
  - F. Any additional miscellaneous fees under 37 C.F.R. § 1.21.
13. A copy of this sheet is enclosed.

Dated: July 31, 2001

By: Elizabeth M. Wieckowski  
Elizabeth M. Wieckowski (Reg. No. 42,226)



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EXPRESS MAIL CERTIFICATE

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DATE OF DEPOSIT 7/3/01

TYPE OF DOCUMENT Continuation Application

RE: LEMISCHKA, Ihor R.

SERIAL NO. To be Assigned FILING DATE Herewith

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOVE, BY BEING HANDED TO A POSTAL CLERK OR BY BEING PLACED IN THE EXPRESS MAIL BOX BEFORE THE POSTED DATE OF THE LAST PICK UP, AND IS ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

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Method for Isolating Cells Expressing FLK-2  
Receptors And Isolated Populations of Cells That  
Express FLK-2 Receptor.

FORM NO. 3046T660